REMARKS

Claims 1, 3-11, and 13-15 are pending in the application. Claims 2 and 12 have been canceled. New claim 15 has been added.

Claim Rejections - 35 U.S.C. § 102

Claims 4, 6, 13, and 14 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Cho (USP 5,396,287). This rejection is respectfully traversed.

Cho discloses, in Fig. 9, a TV camera that includes a touch panel 51 provided over a monitor screen 10. The touch panel 51 is capable of detecting the pressure applied thereto, and magnification by zooming is calculated on the basis of the pressure signal (col. 8, lines 42-46). More specifically, A magnification and P (pan)/T (tilt) calculator 59 calculates the magnification by zooming on the basis of the signal representing the pressure applied to an touch inputting portion 12. When the pressure is low, the magnification is small, and when the pressure is high, the magnification is large (col. 8, 62 - col.9, line 2). Cho also states that if the cabin (a portion of a displayed image shown in Fig. 9) is enlarged too much, the magnification is reduced by re-pressing the touch inputting panel 12 with a slightly smaller force, and if the enlargement is insufficient, the magnification is

increased by repressing the touch inputting panel 12 with a slightly larger force (col. 9, lines 56-61).

The foregoing statements clearly indicate that Cho sets a magnification in accordance with the pressure applied to the touch inputting panel 12 (e.g., when a pressure X is applied, a magnification V is obtained, and when a pressure Y smaller than pressure X is applied, a magnification W smaller than the magnification V is obtained), and when an operator needs to change the magnification, he has to repress the panel 12 at a desired pressure. Cho is totally silent as to varying the speed of a magnification change in proportion to the pressure applied to the panel 12 when changing the magnification from one value to another value.

In summary, in Cho, the speed of magnification change is always constant despite the pressure applied to the panel 12. Cho merely sets a magnification based on the pressure applied to the panel 12 and does not continuously vary "a speed of change of a parameter in proportion to the signal," as recited in claim 13. Accordingly, Cho does not disclose or even suggest the "controller" as recited in claim 13.

Claims 4, 6, and 14, dependent on claim 13, are allowable at least for their dependency on claim 13.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

Claim Rejections - 35 U.S.C. § 103

(a) Claims 13 and 7-8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ikeda et al. (U.S. 2000/0110354) in view of Murasaki et al. (USP 5,867,158). This rejection is respectfully traversed.

Ikeda discloses an image recording and editing apparatus having a touch panel 18a provided on a liquid crystal display 18 that senses the touch of a finger or a pen, and the output of the touch panel 18a is connected to a touch panel detecting unit 19. and discloses that respective operations are performed based on a touched portion (one of the buttons). For instance, the thumbnail images 31 are scrolled outside of the screen, when the used presses scroll button 33.

In Ikeda, however, the "speed of change of the parameter" is not continuously varied based on the pressure applied on the touch panel. Accordingly, Ikeda does not disclose or even suggest the "controller" as recited in claim 13.

Murasaki states in col. 4, lines 4-7 that "the speed an image is scrolled is determined in accordance with the pressure with which the tablet is pressed down with the pen during instructing."

This statement was made in describing the disclosure in Japanese Unexamined Patent Publication JP-A5-94504 (1993) (see col. 3, lines 47-49). This Japanese publication, however, merely states, in col. 6, lines 37-39 thereof, that "[P]en pressure could be used to determine the speed of scrolling with a short prior movement of the pen indicating scroll direction"[1]. No where in the specification does the Japanese Publication disclose that it continuously varies "a speed of change of a parameter in proportion to the signal," as recited in claim 13. Accordingly, Murasaki does not disclose or even suggest the "controller" as recited in claim 13.

Therefore, even assuming, *arguendo*, that Ikeda and Murasaki can be combined, Ikeda in view of Murasaki fails to disclose or even suggest the "controller" as recited in claim 13.

Claims 7 and 8, dependent on claim 13, are allowable at least for their dependency on claim 13.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(b) Claims 13 and 9-10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ito et al. (USP 5,671,014) in view of Murasaki. This rejection is respectfully traversed.

---

[1] This English translation was copied from col. 5, lines 22-24 of USP 5,289,168, which is a corresponding US patent of the Japanese Publication.

Ito discloses a touch panel 11 that detects pen-on and pen-off conditions based on a pressure being applied on a surface thereof and outputting a signal corresponding thereto, a controller for changing a parameter based on the signal, and a LCD panel that displays an adjustment level LV (Fig. 9B).

The adjustment level LV changes when one of the plus or minus key is pressed. In Ito, however, the adjustment level LV does not change in response to the changes in the pressure. In other words, even if the plus key is pressed with a relatively light force or with a relatively large force, the adjustment level LV will change at a same speed.

Therefore, Ito does not display "a diagram indicative of the changes in the pressure." Accordingly, Ito does not disclose or even suggest the "controller" as recited in claim 13.

As stated in the foregoing, Murasaki fails to disclose or even suggest the "controller" as recited in claim 13.

Therefore, even assuming, *arguendo*, that Ito and Murasaki can be combined, Ito in view of Murasaki fails to disclose or even suggest the "controller " as recited in claim 13.

Claims 9 and 10, dependent on claim 13, are allowable at least for their dependency on claim 13.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(c) Claims 1, 5, and 11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ikeda et al. in view of Tsuneo et al. (Translation of JP 08-221202). This rejection is respectfully traversed.

Ikeda discloses a camera that includes: a touch panel 18a that senses whether or not a pressure is being applied on a surface thereof; a touch panel detecting circuit 19 that detects a position coordinate of a point of contact on the touch panel 18a; a microprocessor 14 that sends a message to a display driver 17 based on the position coordinate of the point of contact. The display driver 17 then changes the display screen of a liquid crystal display 18 to the next appropriate screen.

Ikeda, however, does not perform "a first control when the pressure applied on said touch panel is greater than a first predetermined value, and" does not perform "a second control when the pressure is greater than a second predetermined value larger than the first predetermined value, wherein the first control is an image-recording preparation, and the second control is an image-recording," as recited in claim 1. Accordingly, Ikeda does not disclose or even suggest the "controller" as recited in claim 1.

Tsuneo discloses an information display device in which a display item is set to a selection state when the display is touch operated at force less than a predetermined value, and when the

display item in the selection state is touch operated at a force greater than the predetermined value, the displayed item is set to a definite state.

Tsuneo is not even directed to a camera. Therefore, one of ordinary skill in the art would not be motivated to modify the display of Ikeda by providing the information display device of Tsuneo.

Moreover, even assuming that Ikeda and Tsuneo can be combined, which Applicants do not admit, such a camera would merely enable an operator to place one of numerous parameters of the camera into a selection state by pressing the display at a force less than a predetermined value and to place the selected parameter into a definite state by further pressing the display at a force greater than the predetermined value, and does not perform "a first control when the pressure applied on said touch panel is greater than a first predetermined value, and" does not perform "a second control when the pressure is greater than a second predetermined value larger than the first predetermined value, wherein the first control is an image-recording preparation, and the second control is an image-recording," as recited in claim 1. Accordingly, Tsuneo does not disclose or even suggest the "controller" as recited in claim 1.

In summary, even assuming, *arguendo*, that Ikeda and Tsuneo can be combined, Ikeda in view of Tsuneo fails to disclose or even suggest the "controller" as recited in claim 1.

Claim 5, dependent on claim 1, is allowable at least for their dependency on claim 1.

Claim 11 is allowable at least for the similar reasons as stated in the foregoing with respect to claim 1.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

(d) Claims 1-3 and 11-12have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Kowno et al. (U.S. 2001/0013897) in view of Tsuneo et al. This rejection is respectfully traversed.

As the Examiner acknowledges in the Office Action, Kowno does not show "the controller performing a first control when the pressure applied on the touch panel is greater than a first predetermined value, and performing a second control when the pressure is greater than a second predetermined value larger than the first predetermined value," as recited in claim 1. Accordingly, Kowno does not disclose or even suggest the "controller" as recited in claim 1.

Tsuneo is not even directed to a camera. Therefore, one of ordinary skill in the art would not be motivated to modify the

display of Ikeda by providing the information display device of Tsuneo.

Moreover, as stated in the foregoing, Tsuneo does not disclose or even suggest the "controller" as recited in claim 1.

Therefore, even assuming, arguendo, that Kowno and Tsuneo can be combined, Kowno in view of Tsuneo fails to disclose or even suggest the "controller" as recited in claim 1.

Claim 3, dependent on claim 1, is allowable at least for its dependency on claim 1.

Claims 2 and 12 have been canceled.

Claim 11 is allowable at least for the similar reasons as stated in the foregoing with respect to claim 1.

Claim 12, dependent on claim 11, is allowable at least for its dependency on claim 11.

The Examiner is respectfully requested to reconsider and withdraw this rejection.

New Claim

New claim 15 has been added.

Claim 15 is allowable at least because none of the prior art of record discloses or even suggests "an image display that displays a diagram indicative of the changes in the pressure."

A favorable determination by the Examiner and allowance of claim 15 is earnestly solicited.

Conclusion

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and objections, and allowance of the pending claims are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Maki Hatsumi (Reg. No. 40,417) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of $110.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By _____
D. Richard Anderson, #40,439

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

DRA:MH/mh:pjh
0879-0235P